

REMARKS

Claims 1, 3, 4, and 17 have been amended. Claims 2, 5, 10-16, 18, and 19 have been cancelled without prejudice. Accordingly, claims 1, 3, 4, 6-9, and 17 are now pending in the present application, and are presented to the Examiner for examination in light of the amendments and remarks made herein.

The Examiner objected to claim 17 of the present invention because, in line 5 of the claim, the word “supply” should be inserted after the first occurrence of the word “power.” In response thereto, Applicant has amended claim 17 to include “supply” after the word “power” in line 5 of the claim. In view of this amendment, Applicant respectfully submits that this objection set forth by the Examiner is now deemed moot, and, therefore, it is respectfully requested that the Examiner withdraw this objection.

The Examiner rejected claims 1-6, 10, and 12-18 under 35 U.S.C. §102(b) as being anticipated by Campbell et al. (U.S. Patent No. 5,437,040). In the rejection, the Examiner alleges that Campbell discloses a system in Figure 1 including a power supply (17) configured to provide a standby signal (12SB), where the power supply is configured to receive a power up signal (DCON). The Examiner further alleges that Campbell discloses a delay circuit (22) coupled to receive the standby signal, where the delay circuit is configured to provide the power up signal to the power supply after a predetermined delay in response to receiving the standby signal. Applicant, however, respectfully disagrees with the Examiner’s interpretation of the Campbell reference.

Campbell discloses a system that includes circuits that provide signals proportional to an instantaneous voltage and current on a power bus to a microprocessor. The microprocessor uses these signals, the capacitance of the system filter capacitors, and the desired time for the system voltage to remain above a minimum voltage, to calculate an instantaneous voltage threshold. When the power bus voltage falls below this threshold voltage, the microprocessor provides a signal warning of impending power failure. Applicant, however, respectfully submits that Campbell fails to teach or suggest a stabilizer circuit that is configured to receive a standby signal and to provide the standby signal to the power supply as a power up signal to keep the power up signal inactive as defined by independent claims 1 and 17 of the present invention as amended. Additionally, Campbell fails to teach or suggest a stabilizer circuit that is configured to receive a standby signal and to receive a delayed control signal, wherein the stabilizer circuit is further configured to provide the delayed control signal to the power supply to ensure a stable transition during the receipt of the delayed control signal by the power supply as defined by independent claim 4 of the present invention as amended.

Claim 1 of the present invention has been amended to recite “wherein the stabilizer circuit is further configured to receive the standby signal and to *provide the standby signal to the power supply as the power up signal to keep the power up signal inactive*” (emphasis added). Claim 4 of the present invention has been amended to recite “a stabilizer circuit configured to receive the standby signal and to receive the delayed control signal, wherein the stabilizer circuit is further configured to *provide the delayed control signal to the power supply to ensure a stable transition during the receipt of the delayed control signal by the power supply*” (emphasis added). And, claim 17 of the present invention has been amended to recite “wherein the stabilizer circuit is further configured to receive the standby signal and to *provide the standby*

signal to the power supply as the power up signal to keep the power up signal inactive”
(emphasis added).

Therefore, because Campbell fails to disclose a stabilizer circuit to provide a standby signal to a power supply as the power up signal to keep the power up signal inactive and to provide the delayed control signal to the power supply to ensure a stable transition during the receipt of the delayed control signal by the power supply, Applicant respectfully submits that Campbell cannot possibly anticipate independent claims 1, 4, and 17 of the present invention, and all claims dependent thereon. Accordingly, Applicant respectfully submits that these claims are allowable over Campbell for at least these reasons.

The Examiner rejected claims 7-9 and 11 under 35 U.S.C. §103(a) as being unpatentable over Campbell et al. (U.S. Patent No. 5,437,040). In the rejection, the Examiner alleges that Campbell teaches the claimed system except that the standby signal is first detected and then delayed before being output to the power supply. The Examiner then alleges that it would be obvious to modify the teachings of Campbell such that the standby signal is first detected and then delayed since it would constitute an engineering design choice that wouldn't modify the operation of the device. Applicant, however, respectfully disagrees with this rejection as set forth by the Examiner.

As indicated by the Examiner in the rejection, Campbell fails to teach or suggest that the standby signal is first detected and then delayed before being output to the power supply. Applicant respectfully submits that the Examiner has failed to produce evidence for the allegation that Campbell may be modified such that the standby signal is first detected and then delayed as alleged by the Examiner. Applicant respectfully submits that it is improper for the

Examiner to merely state that these deficiencies of Campbell are merely obvious without the presentation of evidence that such deficiencies are known in the art.

Applicant further submits, in addition to the Examiner failing to provide evidence for the deficiencies of Campbell noted above, that the Examiner also fails to provide the requisite motivation to substantiate such alleged obviousness. The Examiner merely states that it would have been obvious that the standby signal is first detected and then delayed in Campbell's system. It is well-settled, however, that references must provide some motivation or reason for one of ordinary skill in the art to make the necessary changes in the disclosed devices or methods. The mere fact that references may be modified in the direction of the claimed invention does not make the modifications obvious unless the references expressly or impliedly teach or suggest the desirability of the modifications. *In re Gordon*, 221 USPQ 1125, 1127 (Fed. Cir. 1984); *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. App. 1985); *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ 351, 353 (Bd. App. 1984). Indeed, the Federal Circuit stated:

... To draw on hindsight knowledge of the patented invention, when the prior art does not contain or suggest that knowledge, is to use the invention as a template for its own reconstruction--an illogical and inappropriate process by which to determine patentability. *W.L. Gore & Assoc. v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983). The invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention was made. *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1138, 227 USPQ 543, 547 (Fed. Cir. 1985).

Sensonics Inc. v. Aerosonic Corp., 38 USPQ2d 1551, 1554 (Fed. Cir. 1996).

Applicant submits that the only motivation to modify Campbell's system as alleged by the Examiner is solely based upon Applicant's own disclosure. It is respectfully submitted that such impermissible hindsight relied upon does not provide a proper basis for the obviousness alleged by the Examiner.

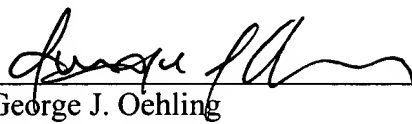
Because the Examiner failed to produce evidence that it would have been obvious to modify Campbell as alleged, and because the Examiner has also failed to provide the requisite motivation for such alleged obviousness, Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness as required under 35 U.S.C 103(a). Accordingly, claim 7 of the present invention, and all claims dependent thereon, are allowable over Campbell for at least these reasons.

Applicant respectfully submits that the remaining rejections in the present application are improper and should be withdrawn because the cited references fail to teach or suggest all of the limitations of the claims as discussed in detail above. Accordingly, in view of the amendments and remarks presented herein, a Notice of Allowance is respectfully solicited.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Assistant Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2000.050800.

The Examiner is invited to contact the undersigned at (713) 934-4058 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

AMENDED CLAIMS APPENDIX

1. (Amended) A system, comprising:

a power supply configured to provide a standby signal[, wherein the power supply is further configured to] and receive a power up signal; [and]

a detection circuit coupled to receive the standby signal and output a power on signal for the power supply in response to receiving the standby signal;

a delay circuit coupled to receive the [standby] power on signal, wherein the delay circuit is configured to provide the power up signal to the power supply after a predetermined delay in response to receiving the [standby] power on signal; and

a stabilizer circuit coupled between the standby signal and the power up signal, wherein the stabilizer circuit is configured to provide a stable transition in the receipt of the power up signal; and

wherein the delay circuit is configured to provide the delayed power on signal to the power supply as the power up signal once the predetermined period of time has passed since the delay circuit received the power on signal; and

wherein the stabilizer circuit is further configured to receive the standby signal and to provide the standby signal to the power supply as the power up signal to keep the power up signal inactive;

3. (Amended) The system of claim [2] 1, further comprising:

an integrated circuit coupled to receive the standby signal from the power supply.

4. (Amended) A system, comprising:

a detection circuit configured to receive a standby signal from a power supply[, wherein the detection circuit is configured] and to deliver a control signal; [and]

a delay circuit coupled to receive the control signal[, wherein the delay circuit is configured] and to deliver a delayed control signal for the power supply in response to the control signal after a predetermined period of time;

a stabilizer circuit configured to receive the standby signal and to receive the delayed control signal, wherein the stabilizer circuit is further configured to provide the delayed control

signal to the power supply to ensure a stable transition during the receipt of the delayed control signal by the power supply.

17. (Amended) A system, comprising:

an integrated circuit;

a power supply coupled to provide power to the integrated circuit, wherein the power supply is further configured to provide a standby signal to the integrated circuit, wherein the power supply is further configured to receive a power up signal;

a detection circuit coupled to receive the standby signal, wherein the detection circuit is configured to output a power on signal for the power supply in response to receiving the standby signal;

a delay circuit coupled to receive the power on signal for the power supply from the detection circuit, wherein the delay circuit is configured to output a delayed power on signal for the power supply in response to receiving the power on signal after a predetermined period of time; and

a stabilizer circuit coupled between the delay circuit and the power supply, wherein the stabilizer circuit is configured to receive the delayed power on signal and to provide the delayed power on signal to the power supply for the delay circuit, wherein the stabilizer circuit is further configured to provide a stable transition from inactive to active for the power up signal at a power supply; and

wherein the delay circuit is configured to provide the delayed power on signal to the power supply as the power up signal once the predetermined period of time has passed since the delay circuit received the power on signal; and

wherein the stabilizer circuit is further configured to receive the standby signal and to provide the standby signal to the power supply as the power up signal to keep the power up signal inactive.